Law. (1931) Department.
General

OMS SERIES.

lr
~~G.O.~~ No. 1884

DATED 27 4 31

[Despatch Abstract.]

Subj: Judicial Service. Representation of Catholic Community.

To Govt
to be noted upon
24-8-31

From

The Members of the South Kanara Catholic
Association,
Mangalore.

To

The Honourable
Dewan Bahadur Sir M. Krishnan Nair, Kt.,
Law Member to the Government of Madras.

L. P. 973B
24/8/31

S i r,

We, the members of the South Kanara Catholic Association, while offering you a cordial welcome on this occasion of your first official visit to this district, beg to avail ourselves of this opportunity to bring to your notice the glaringly inadequate representation of the Catholic Community in the judicial services.

Our Association which has been registered under the Societies' Act of 1860 has been working for the last 16 years for the educational, social, economic and general welfare of the Catholic Christians of this district, who number about 1,31,000 exclusive of those who are domiciled in other parts of India and abroad. Our Community has by its industry, enterprise and education become the most important and advanced section of the Indian Christian Community of South India. The 25,000 acres of coffee and tea estates owned by us, our tile factories numbering about 30, coffee curing and weaving factories, two first grade Colleges one of which is for women, the ecclesiastical seminary, high and elementary schools, workshops, printing presses, hospitals and charitable institutions, Churches and large residential houses demonstrate our

status and contribution to social service.

We are aggrieved that Catholic Christians generally, and the Catholic Christians in this district in particular are not adequately represented in the judicial services. The following are the figures in regard to higher judicial appointments collected about 2 years ago:-

	Total No.	No. held by Indian Christians. Catholics	Protestants
Judges of the High Court	14	-	-
Officers in High Court ..	8	-	-
Government Law Officers	13	-	-
Civil Courts in the City	5	-	1
Presidency Magistrates ..	4	1	-
Listed posts of Dt.Judges	8	1	-
Sub Judges	48	-	-
Officiating Sub-Judges ..	34	-	1
District Munsifs ..	206	2	3
	340	4	5

The following figures for 1927 culled from a statement published by Government some time back show that Indian Christians suffer from inadequate representation in other branches also of the judicial service:-

	Total No.	No.held by Indian Christians
Gazetted Officers - All India Services)	31	1
DO. Provincial Services	216	7
Non-Gazetted Officers on Rs.100/- and over)	264	4
DO. " Rs.35/- and up-		

trust that you will be pleased to make such recommendations to the Government as are necessary to give the Catholic Community their due share of appointments in all branches of the judicial service. We are aware of your sympathy and your anxious desire to do justice and confidently hope that our grievances will receive early redress at your hands.

We have the honour to be,

Sir,

Your most obedient servants,

(Sd) M. S. Sreshta, C.C.S.(retd.) M.L.C., Vice-Chairman, Municipal Council.

" J. A. Saldanha, Ex M.L.C., & Municipal Councillor.

" S. L. Mathias, K.S.G., Coffee Planter & Member, District Board.

" J. B. Machado, Municipal Councillor.

" (Rev) E.L.Mathias, Secretary, to the Bishop of Mangalore.

D'Souza, Rao Sahib

Hony.Secretary,
South Kanara, Catholic
Association, Mangalore.

Mangalore,
18th February, 1931

Law (General) Department.

973B. From the members of the S. Kanara Catholic Association Mangalore dated 18-2-1931.

Judicial service - Representation of Catholic community.

A.S.

f 2 of

The Catholic Christians of S. Kanara represent that Catholic Christians generally and the Catholic Christians in the S. Kanara District in particular are not adequately represented in the Judicial service.

2. It is submitted that this department is concerned with the following:-

(1) Officers of the High Court;

(2) Law Officers;

(3) Judges of the civil courts in the Madras City;

(4) Magistrates of the Presidency Magistrates' Court

(5) Sub-judges;

(6) District Munsifs; and

(7) Establishment working in the several civil court

The statement at flag "X" shows the number of Christians employed in the several offices referred to above. There are no separate figures for Catholic Christians. It may be observed here that the Government have not recognised Catholics as a separate community in regard to communal representation. Of a total of 13,27,215 Indian Christians in the Madras Presidency, the Roman Catholics number 7,30,911.

(W) Vide f. 2 of 30 712 P 27-29

to enclose figures for 1921

(W) 3. In G.O. No. 712 Public dated 2-7-1929 relating to communal representation the Government have assigned two appointments for Christians including Anglo-Indians and Non-Asiatics out of every twelve appointments made. This G.O. has been applied only in the following cases:-

(1) Administrator-General

(2) Chief Presidency Magistrate

(3) Judge, City Civil Court

(4) Puisne Judge, Court of Small Causes

(who is not included inthe cadre of sub-judges).

Appointment of ministerial officers in the ~~mufassil~~ civil courts are made by the Presiding officers of the courts, the High Court being the final authority in the matter. District Munsifs are appointed by the High Court. Officers of the High Court are appointed by the Chief Justice. Appointments to all other offices referred to on page 1 ante are made by the Government. It may be stated that as far as possible the officers concerned and Government are ~~trying~~ doing their best to see that all communities are represented in the service. It does not appear that there is anything more to be done in the matter.

The case may be forwarded to Public Department u.o. for adding their portion of the note before circulation to H.M. C-2.

S.S.D.
17-3-31.

K.P.
17-3-31.

Through A
23/3

Pub(SP)Dept.

This Dept is concerned with the following appointments mentioned at 2 C.f. :—

1. Judges of the High Court
2. Civil posts of Dist. Judges.

Lr. No. 713 B-1
20-3-31

765

COLLECTIVE APPT
27 APR 1931

Permanent appointments of Judges of the High Court are made by His Majesty under the Letters Patent. The appointments are not made on Council or Communal considerations.

Part (Spl) No 765-I 11.4.31

As regards listed parts of Dist Judges persons best fitted for appointment are chosen irrespective of the Community to which they may belong & with these remarks the file may be returned to Law.

L.S 16-26B 11/4/31

Law Secy/MS 11.4.31.

CS XI 4

Law (Genl) Dept

AS: A draft reply to the Hony Secy, Calicut Association, Mangalore is submitted. The case may be circulated to H.M.C 2

Dept for orders
BR
20/4
J
Lib. 24/4

C2 MMS 25-4-31

Draft approved
Lib 17.4.31
HS 20/4

17.4.31
HS
20/4

11 APR 1931
SECRETARY TO GOVERNMENT OF MADRAS
25 APR 1931
LAW DEPARTMENT

List as stood on 1st April 1930

	Total strength.	Number of Christians.
District Munsifs	154	4
Sub-judges	45	1
Officiating sub-judges	..	..
Officers in the High Court	11	1
Govt. Law officers — City ...	11	Nil
Govt. Law officers — Mufassal Govt.Pleaders	28+	
Govt. Law officers — Mufassal Pub.Prosec.	5	2
Civil Courts in the city	6	1
Presidency Magistrates		

District Court establishment in the Presidency.

Non-Gazetted officers on Rs.100 and over ...	151	9
Non-Gazetted officers on Rs.35 & upwards but below Rs. 100	4,322	181
Non-Gazetted Officers on less than Rs. 35	8,637	287

Civil Courts in the City

Non-Gazetted officers on Rs. 100 and over	12	..
Non-Gazetted officers on Rs. 35 and upwards but below Rs. 100	82	3
do — on less than Rs. 35	59	2

High Court of Judicature.

Non-Gazetted officers on Rs. 100 and upwards	154	4
Non-Gazetted officers on Rs. 35 and upwards but below Rs. 100	206	7
do. on less than Rs. 35	167	14

Presidency Magistrates' courts.